



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GCube Insurance Services, Inc., individually and
on behalf of Certain Underwriters at Lloyds
London, Subscribing to Policy SO 174415602,

Plaintiff,

—v—

Neighborhood Power Corporation,

Defendant.

20-cv-4912 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On July 27, 2020, the Court ordered the Defendant to show cause why this action should not be remanded for lack of subject matter jurisdiction and why complete diversity exists among the parties. Dkt. No. 8. On August 4, 2020, the Defendant filed a letter conceding that the adverse parties in this case are not completely diverse; it also notified the Court that it seeks to voluntarily withdraw its Notice of Removal and that it consents to this matter being remanded to state court. Dkt. No. 10.

Due to the lack of complete diversity, the Court finds that it has no subject matter jurisdiction over this action. *See Herrick Co. v. SCS Commc 'ns, Inc.*, 251 F.3d 315, 322 (2d Cir. 2001) (“[D]iversity jurisdiction is available only when all adverse parties to a litigation are completely diverse in their citizenships.”). Accordingly, the Clerk of Court is respectfully directed to REMAND this case to the New York Supreme Court, New York County and to close the case.

SO ORDERED.

Dated: August 4, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan".

ALISON J. NATHAN
United States District Judge